

COMBINED DECLARATION AND POWER OF ATTORNEY FOR REISSUE APPLICATION

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

The declaration for the reissue application is of the following type: (check one applicable item below)

- | | |
|-------------------------------------|--------------|
| <input checked="" type="checkbox"/> | original |
| <input type="checkbox"/> | design |
| <input type="checkbox"/> | supplemental |

INVENTORSHIP IDENTIFICATION

WARNING If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made should be submitted

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

MULTI-RESOLUTION COLOR CONTACT-TYPE IMAGE SENSING APPARATUS

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

- (a) ☒ is attached hereto.
- (b) ☐ was filed on [DATE] as Serial No. ____; or
☐ was filed on [date], under Express Mail No. ____, as Serial No. not yet known,
and was amended on ____ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67

- (c) ☐ was described and claimed in PCT International Application No. ____; filed on ____ and as amended Under PCT Article 19 on ____ (if any).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information

- ☒ which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56;
(also check the following items, if desired)
- ☒ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent; and
- ☒ In compliance with this duty, there is attached an information disclosure statement in accordance with 37 CFR 1.98.

PRIORITY CLAIM (35 U.S.C. § 119)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☒ no such applications have been filed
- (e) ☐ such applications have been filed as follows

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Customer Bar No.: 022879

Scott A. Horstemeyer, Reg. No. 34,183

**SEND CORRESPONDENCE TO
TO:**

Augustus W. Winfield
HEWLETT-PACKARD COMPANY
3400 East Harmony Road
Building 6, Dock A
Fort Collins, CO 80528-9599

DIRECT TELEPHONE CALLS

Augustus W. Winfield
(970) 898-~~3800~~
3142

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

STATEMENT OF INOPERATIVENESS

Applicant believes that U.S. Patent No. 6,009,214 is partly inoperative by reason of the patentee claiming less than the patentee had the right to claim in the patent. At least one error being relied upon as the basis for the reissue is the fact that the Applicant and, Applicant's representatives, failed to appreciate the full scope of the invention. Specifically, other species of claims, particularly independent claims, which would have been allowable over the prior art, were not submitted to the U.S. Patent and Trademark Office during the examination of the application that issued as U.S. Patent No. 6,009,214.

STATEMENT THAT ERROR OCCURRED WITHOUT DECEPTIVE INTENT AND THAT NO NEW MATTER IS ADDED

Applicant believes that the error listed above, which is being corrected by way of this Reissue Application and which occurred up to the time of the filing of this Reissue Declaration, occurred without any deceptive intention on the part of the Applicant. Applicant believes that the new claims of the reissue application do not add new matter.

OFFER TO SURRENDER

Applicant hereby offers to surrender U.S. patent 6,009,214 as required under 37 C.F.R.1.178. Applicant intends to submit for surrender the original letters patent, or an affidavit stating that the original letters patent has been lost or is inaccessible, prior to allowance of the subject Reissue Application.

SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents

Full name of sole or first inventor

Bradley Suggs

Inventor's signature Bradley Suggs
Date: 17 JULY 2001 Country of Citizenship U.S.A
Residence: 1637 Blackhawk Drive, Sunnyvale, CA 94087
Post Office Address: Same as residence

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item

☒ **This declaration ends with this page**

PTO/SB/54 (12-97)

Approved for use through 9/30/00. OMB 0851-0033
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION BY THE ASSIGNEE, OFFER TO SURRENDER PATENT		Docket Number (Optional) 10970214-2
<p>This is part of the application for a reissue patent based on the original patent identified below.</p>		
<p>Name of Patentee(s): Bradley Suggs</p>		
<p>Patent Number 6,009,214</p>	<p>Date Patent issued December 28, 1999</p>	
<p>Title of Invention Multi-Resolution Color Contact-Type Image Sensing Apparatus</p>		
<p><u>Hewlett-Packard Company</u> is the assignee of the entire interest in the original patent.</p> <p>I offer to surrender the original patent.</p> <p><input checked="" type="checkbox"/> A certificate under 37 CFR 3.73(b) is attached.</p> <p>I am authorized to act on behalf of the assignee.</p>		
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.</p>		
<p>Name of assignee Hewlett-Packard Company, Inc.</p>		
<p>Signature of person signing for assignee <i>A. W. Winfield</i></p>	<p>Date 11/26/01</p>	
<p>Typed or printed name and title of person signing for assignee Augustus W. Winfield</p>		
<p></p>		

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

(Reissue Application by the Assignee — Offer to Surrender Patent (PTO/SB/54) [17-3.1]—page 1 of 1)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Bradley Suggs
Application No./Patent No.: 6,009,214 Filed/Issue Date: Dec. 28, 1999
Entitled: Multi-Resolution Color Contact-Type Image Sensing Apparatus
Hewlett-Packard Company, a corporation
(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 9043, Frame 0960, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

11/26/01
Date

Augustus W. Winfield
Typed or printed name
A. W. Winfield
Signature
CORPORATE COUNSEL
Title

Practitioner's Docket No. 10970214-2

PATENT

ASSENT BY ASSIGNEE FOR FILING OF REISSUE APPLICATION

NOTE: The written assent of all assignees, if any, owning an undivided interest in the original patent must be included in the application for reissue. 37 C.F.R. 1.172(a).

This is part of the application for a reissue patent filed herewith based on the original patent identified as follows:

Suggs

Name of Patentee

6,009,214

Patent Number

Dec. 28, 1999

Date Patent Issued

Multi-Resolution Color Contact-Type Image Sensing Apparatus

Title of Invention

I am an assignee owning

☒ an undivided interest to the above original patent.

☐ a _____% (per cent) interest in the above original patent.

I assent to the accompanying application for reissue.

Attached is a "Statement under 37 C.F.R. § 3.73(b) — Establishing Right of Assignee to Take Action."

Hewlett-Packard Company

Name of assignee

Augustus W. Winfield
Signature of person signing for assignee

Date: 11/26/01

Augustus W. Winfield

(type or print name and title of person signing for assignee)

When recorded please return to:

HEWLETT-PACKARD COMPANY
Legal Department, 20BN
P. O. Box 10301
Palo Alto, California 94303-0890

PATENT APPLICATION

ATTORNEY DOCKET NO. 10970214-1

ASSIGNMENT OF PATENT APPLICATION

I/We, the undersigned (each) have agreed and hereby agree to assign to HEWLETT-PACKARD COMPANY, a California corporation having its principal place of business in Palo Alto, California, (hereinafter HP), in furtherance of my/our obligations to HP, and do hereby assign and transfer to HP, its successors and assigns, the entire right, title and interest, including the right of priority, in, to and under an application for Letters Patent of the United States entitled:

Multi-Resolution Color Contact-Type Image Sensing Apparatus

Filing date: 10/28/97Serial No.: 08/959,062

and the invention(s) and improvement(s) set forth therein, and any and all continuations, continuations-in-part (C-I-P's), divisionals, and renewals of and substitutes for said application for said Letters Patent, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor; and any reissues, or reexaminations, or extensions of said Letters Patent.

I/we additionally authorize HP to file applications in my/our name for Letters Patent in any country, to be held and enjoyed by HP, its successors, assigns, nominees or legal representatives, to the full end of the term or terms for which said Letters Patent respectively may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by me/us had this assignment, and transfer not been made;

AND I/we hereby covenant that I/we have full right to convey the entire interest herein assigned, and that I/we have not executed and will not execute any agreement in conflict herewith, and I/we further covenant and agree that I/we will, each time a request is made, and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to said invention(s) or improvement(s), said application and said Letters Patent, to HP, its successors, assigns, nominees or legal representatives, and I/we agree to communicate to HP, or to its nominee, all known facts respecting said invention(s) or improvement(s), said application and said Letters Patent, to testify in any legal proceedings, to sign all lawful papers, to execute all disclaimers and divisionals, continuations, C-I-P's, reissue and foreign applications, to make all rightful oaths and declarations, and generally to do everything possible to aid HP, its successors, assigns, nominees and legal representatives to obtain and enforce, for its or their own benefit, proper patent protection for said invention(s) or improvement(s) in any and all countries provided the expenses which may be incurred by me/us in lending such cooperation and assistance are paid by HP;

AND I/we hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to issue patents on applications as aforesaid, to issue to HP, as assignee of the entire right, title and interest, any and all Letters Patent for said invention(s) or improvement(s), including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

I/we further authorize and direct HP attorneys to insert the serial number and filing date of said application now identified by the attorney docket number and title set forth above as soon as the same shall have been made known to them by the United States Patent and Trademark Office.

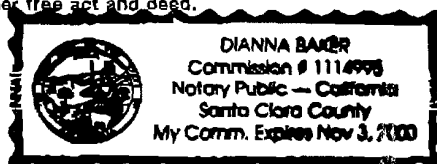
Bradley Suggs
Inventor's Signature (Seal)

Date Assignment Signed: MARCH 10, 1998Inventor's Typed Name: Bradley SuggsDate Application Signed: OCTOBER 27, 1997State of California

) ss.:

County of Santa Clara

Before me this 10 day of MARCH 1998, personally appeared Bradley Suggs who is personally known or proved to me on the basis of satisfactory evidence to be the person who acknowledged the foregoing instrument of assignment to be his/her free act and deed.



Dianna Baker
Notary Public
My commission expires: 11-3-2000

(Use Page Two For Additional Inventor(s) Signature(s))

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